

Appl. No. 10/765,028
Response dated March 30, 2006
Reply to Office action of March 21, 2006

REMARKS

With regard to the requirement for election and restriction, in the Official Action mailed on March 21, 2006, the Applicant hereby elects, with traverse, the Group I claims, namely Claims 1-55 and 57.

However, it is believed that the Group I claims, Claims 1-55 and 57, are so closely related to the Group II claims, Claim 56, that they should remain in the same application in order to preserve unity of invention.

The different classifications of the Group I and II claims have been noted, but it is felt that these classifications are not necessarily conclusive on the question of restriction and election. It is believed that the Examiner is trying to draw too fine a line of distinction and that when all the facts are taken into account, the Group II claims should remain in this application. Furthermore, a search of one Group would necessitate a search for the other, and therefore, it would be efficient to search both groups together.

With regard to the election of the Group I claims, the Office Action requires Applicant to elect, under 35 U.S.C. 121, a single species for the Group I claims, in this case a Figure, for prosecution on the merits to which claims will be restricted in the event no generic claim is held allowable. In response to this requirement, the Applicant elects the species of Figure 5A. Claims 1-5, 12-16, 19-45, 47-55 and 57 are considered to be readable on the elected species. Independent claims 1, 44, 50, and 57 are considered to be generic.

However, Figures 5B1-5B8, 5C, and 5D should also be included with the elected species, Figure 5A, because they are, in fact, disclosed as being directed to a single disclosed basic column. Further, as disclosed in the instant specification and more specifically, in the brief description of drawings appearing under the heading DRAWINGS-FIGURES starting in paragraph [0035], Applicant has described various types of columns and panels. Each of these

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sets of Figures are not mutually exclusive, as asserted by the Examiner. Furthermore, the Examiner is attempting to separate out views of the same element as different species, when they are in fact the same species, just different views. For Example, Figure 8A is a top view of 7A.

In view of the foregoing remarks, it is respectfully requested that the Examiner reconsider and withdraw the requirement for restriction.

Respectfully submitted,

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